

02-14-05

10808188 - GAU 1611



## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DESLAURIERS ET AL.

§ Group Art Unit: 1617

Serial No.: 10/808,188

§ Examiner: *unknown*

Filed: 03.24.2004

§

Title: "METHODS FOR PERFORMING MEDICAL  
PROCEDURES WHICH PROMOTE BONE  
GROWTH, COMPOSITIONS WHICH  
PROMOTE BONE GROWTH, AND  
METHODS OF MAKING SUCH  
COMPOSITIONS"

§ Atty. Docket No.: 064361.0126

CERTIFICATE OF MAILING VIA EXPRESS MAIL  
37 C.F.R. 1.10ATTORNEY DOCKET NUMBER: 064361.0126  
GROUP ART UNIT: 1617  
EXAMINER: UNKNOWNPURSUANT TO 37 C.F.R. §1.10, I HEREBY CERTIFY THAT I HAVE  
KNOWLEDGE AND A REASONABLE BASIS FOR BELIEF THAT THIS  
CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES  
POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE ON  
THE DATE INDICATED BELOW AND IS ADDRESSED TO:MAIL STOP AMENDMENT  
HONORABLE COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450.

Thomas M. Morrow

*2/11/05*  
DATEDATE OF MAILING:  
EXPRESS MAIL LABEL:FEBRUARY 11, 2005  
EV 448731447 USMAIL STOP AMENDMENT  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the art listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified continuation-in-part patent application.

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Information Disclosure Statement

USPTO File No. 10808188

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.W./

Copies of each of the ten (10) cited documents are included.

Regarding Reference 7 (Salvador Claro Neto, "Thesis for Doctor's Degree"), both Portuguese and English versions are submitted herein. The submitted documents comprise pages 117-120 of Claro Neto's thesis. Applicants do not possess a copy of the entirety of Claro Neto's thesis; Applicants have made reasonable efforts (e.g., Internet searches) to procure a copy of the entirety of Claro Neto's thesis, but have not succeeded. Applicants estimate the date of Reference 7 to be 1997. This estimate is derived from another reference submitted herein, Reference 1. Reference 1 cites, in footnote 8 on page 191, a doctoral thesis by S. Claro Neto, dated 1997. Applicants assume the doctoral thesis cited in footnote 8 of Reference 1 to be the same doctoral thesis as that from which the pages submitted as Reference 7 derived. As cited in footnote 8 of Reference 1, the full title of Claro Neto's thesis is stated to be "Physical and Chemical Characterization of Castor-Oil Derived Polyurethanes Used in Bone Implants."

Reference 10 is provided only in Portuguese. However, the first page of Reference 10 provides a one-paragraph English-language Abstract thereof.

Pursuant to 37 C.F.R. §§1.97(g) and (h), Applicants do not represent that a search has been made and do not admit that these references are, or are considered to be, material to the patentability of the present application.

As this Information Disclosure Statement transmitted herewith is being filed prior to the issuance of a first Office Action on the merits in this case, Applicants believe that no fee is due. However, should the Commissioner deem that any fees are due, Applicants respectfully request that the Commissioner accept this as a Petition Therefor, and further direct the Commissioner to debit any fees due from Baker Botts L.L.P. **Deposit Account No. 02-0383, Order No. 064361.0126.**

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

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ATTORNEY FOR APPLICANTS

DATE: February 11, 2005

Client Reference No. 064361.0126



PTO-1449  Information Disclosure Citation in an Application	Application No. 10/808,188	Applicant(s): Deslauriers, et al.	
	Docket Number 064361.0126	Group Art Unit 1617	Filing Date March 24, 2004

**U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	

**NON-PATENT DOCUMENTS**

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
1	RYU ALBERTO CORRÉA ALTAFIM, ET AL., "THE EFFECTS OF FILLERS ON POLYURETHANE RESIN-BASED ELECTRICAL INSULATORS," MATERIALS RESEARCH, VOL. 6, NO. 2, PP. 187-191	2003
2	A. SETH GREENWALD, D. PHIL, ET AL., "BONE-GRAFT SUBSTITUTES: FACTS, FICTIONS & APPLICATIONS," THE AMERICAN ACADEMY OF ORTHOPAEDIC SURGEONS	FEBRUARY 13-17, 2002
3	S. N. PARikh, "BONE GRAFT SUBSTITUTES: PAST, PRESENT, FUTURE," JOURNAL OF POSTGRADUATE MEDICINE, VOL. 48, ISSUE 2, PP. 142-8	2002
4	PATRICK MCGEE, "BONE SUBSTITUTES ARE MORE PLENTIFUL BUT BARRIERS REMAIN," ORTHOPEDICS TODAY	OCTOBER 2001
5	SYLWESTER GOGOLEWKI, "NONMETALLIC MATERIALS FOR BONE SUBSTITUTES," EUROPEAN CELLS AND MATERIALS, VOL. 1, SUPPL. 2, PP. 54-55	2001
6	DANIEL KLEMPNER, ET AL., "HANDBOOK OF POLYMERIC FOAMS AND FOAM TECHNOLOGY," HANSER PUBLISHERS, PP. 12-15, 47-72, 73-94, AND 95-134	1991
7	SALVADOR CLARO NETO, "THESIS FOR DOCTOR'S DEGREE," PP. 117-120 (IN ENGLISH AND PORTUGUESE)	ESTIMATED 1997
8	HELEN CAR IGNÁCIO, ET AL., "THE USE OF A POLYURETHANE DERIVED FROM CASTOR OIL TO FILL SEGMENTAL DIAPHYSSEAL DEFECTS IN RABBIT; AN EXPERIMENTAL STUDY IN RABBITS," REV. BRAS. ORTOP., VOL. 32, N 10	OCTOBER 1997
9	RENATA HINHUG VILARINHO, ET AL., "IMPLANT OF VEGETABLE POLYURETHANE IN THE ANTERIOR CHAMBER OF THE MOUSE EYE," ODONTO 2000 - ODONTOLOGIA DO SÉCULO XXI - VI, N. 00	1996
10	SALVADOR CLARO NETO, ET AL., "CARACTERIZAÇÃO MECÂNICA DE POLIURETANO UTILIZADO PARA IMPLANTE ÓSSEO"	UNDATED

EXAMINER  /Rachael Welter/	DATE CONSIDERED  01/06/2010
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.